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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,734	04/30/2001	Walter Dixon III	345708003US	3801
28062	7590	08/22/2005	EXAMINER	
BUCKLEY, MASCHOFF, TALWALKAR LLC			DAS, CHAMELI	
5 ELM STREET			ART UNIT	PAPER NUMBER
NEW CANAAN, CT 06840			2192	

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/845,734

### Applicant(s)

DIXON ET AL.

### Examiner

CHAMELI C. DAS

### Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 20 May 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-45 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-45 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

1. This action is in response to the amendment filed on 5/20/2005.
2. The specification has been amended.
3. Claims 1, 5, 17, 28, and 37 have been amended.
4. Claims 1-45 have been rejected.

***Specification***

5. The amendment filed on 5/20/05 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

"The verification system may operate to suppress reporting of input attributes that may be resolved by user input and/or to suppress reporting of input attributes of primitive types."

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 3-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one

skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claims 3-4, the limitation "including suppressing the reporting of input attribute", the present specification does not describe the above limitation in the claim.

#### ***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-45 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per claim 1, the limitation "indicating prior to runtime that the input attribute is resolved if the identified output attribute has been indicated as resolve, and indicating prior to runtime that the input attribute is not resolved if the identified output attribute has not been indicated as resolved" is not the specification.

The specification states in page 14, lines 5-6, " verifies whether the input attributes of each command of each interaction would be properly ***resolved at runtime***". On page 15, lines 15-17, "if all the output attributes corresponding to the input attributes of the selected command would be ***resolved at runtime***". On page 15, lines 24-25, "the output attributes of the selected command would be resolved ***during***

*runtime*". On page 16, lines 7-8, "input attributes associated with that path of execution will be properly ***resolved during runtime***". On page 16, lines 29-32, "The resolve set method component determines whether the input attribute associated with that set method will be properly resolve at runtime. ***The resolved get method component establishes that the output attribute will be resolved at runtime***".

***As per amended claim 1***, nowhere in the present application states that "indicating prior to runtime that the input attribute is resolved if the identified output attribute has been indicated as resolved, and indicating prior to runtime that the input attribute is not resolved if the identified output attribute has not been indicated as resolved".

***As per amended claim 5***, nowhere in the present application states that "before executing the computer program, a path of execution of the computer program, the path of execution identifying a sequence of functions of the computer program; and for each input parameter of the function, indicating before executing the program that the input parameter is resolved if a corresponding output parameter has been indicated as resolved as a result of a function in the path of execution having previously been processed".

***As per amended claim 17***, nowhere in the present application states that "means for selecting each function in execution order before executing the computer program"; and means for processing each selected function before executing the computer program by for each parameter of the function".

**As per amended claim 28**, nowhere in the present application states that "determining prior to runtime whether a source of the input parameter would be resolved during execution of the computer program and for each output parameter of the function, indicating prior to runtime that the output parameter is resolved wherein output parameters are sources of input parameters".

**As per amended claim 37**, nowhere in the present application states that "identifying a path of execution of the computer program **prior to runtime**, the path of execution having functions of the computer program".

**For all claims see the rejection in the previous office action mailed on 5/20/05.**

#### **Response to the Arguments**

8. Applicant's argument filed on 5/20/05 has been fully considered but they are not persuasive. In remarks, the applicant argues in substance:

**(1) No new matter has been introduced in the specification.**

#### **Response:**

(1) The Examiner believed that the new matter has been introduced in the specification. The specification has been amended as "**The verification system may operate to suppress reporting of input attributes that may be resolved by user input and/or to suppress reporting of input attributes of primitive types.**" This matter was not in the specification. These limitations were in the claims 3-4. Thus the Examiner rejected claims 3-4 under 35 USC 112 first paragraph. (See the rejection of

claims 3-4 in the previous office action, mailed on 2/24/05). The applicant now amended the specification by introducing this new matter in the specification. Therefore, the specification is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention.

**(2) *Flanagan (US 6,243,737) reference is mainly concerned with behavior of a computer program during runtime.***

**Response:**

(2) Flanagan (US 6,243,737) reference is concerned with behavior of a computer program not only during the runtime it also concerned with the behavior of a computer program ***prior to runtime*** see in abstract at lines 9-12, "Each host transaction includes inputs and outputs. The host inputs are resolved to addressable references ***before runtime***". The present application is also concerned with the behavior of a computer program during runtime, on page 16, lines 6-8, "identify a path of execution and determine whether the input attributes associated with that path of execution will be properly resolved ***during runtime***" and on page 16, lines 29-32, "The resolve set method component determines whether the input attribute associated with that set method will be properly resolved ***at runtime***. The resolve get method component establishes that the output attribute will be resolved ***at runtime***". These limitations are taught by Flanagan reference. See the rejection in the previous office action.

**(3) *Flanagan does not teach “analyzing a program prior to runtime to determine whether the program will execute properly”.***

**Response:**

(3) The above limitation is not in the claims.

**(4) *Applicant argued that Flanagan does not teach all the amended claims.***

**Response:**

(4) The amended limitations in the amended claims are not in the present specification. See the explanation above in the section 7.

### ***Conclusion***

**9. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 7:00 A.M. to 3:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group is (703) 872-9306.

After October 25, 2004, the examiner can be reached at new telephone number (571) 272-3696, and the examiner's supervisor Tuan Dam can be reached at (571) 272-3695.

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 571-272-2100.

*Chameli C. Das*  
CHAMELI C. DAS  
PRIMARY EXAMINER  
8/17/05